

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

Marie Miller et al.

v.

Civil No. 08-cv-293-JL

Scott Roberge

O R D E R

The emergency motion (doc. #4 - treated by the court as a motion for a temporary injunctive relief) filed by plaintiffs Marie Miller and Dorothy Lafortune is DENIED.

Assuming (without deciding) that the plaintiffs have standing to file the motion on behalf of William Miller and John Miller, they have not made the required four-part showing necessary to obtain preliminary injunctive relief, as they have demonstrated neither a likelihood of success on the merits nor irreparable harm. See Naser Jewelers, Inc. v. City of Concord, 513 F.3d 27, 32 (1st Cir. 2008).

Further, the injunctive relief requested by the plaintiffs -- an order that John and William Miller be placed in the "witness protection program" administered by the United States Marshal's Service, or a modification in William Miller's state court bail conditions allowing him to reside at a Veterans Administration Hospital -- are not within the authority of the court. This would

be true even if the plaintiffs had established entitlement to preliminary injunctive relief.

SO ORDERED.



Joseph N. Laplante
United States District Judge

Dated: August 5, 2008

cc: Marie Miller, pro se
Dorothy Lafortune, pro se
Barbara Batson, pro se
Carl Weston, pro se
John A. Curran, Esq.